

REMARKS

Claims 11, 13-16 and 21-26 are presently in the application.

By this amendment, claim 12 has been canceled and its subject matter incorporated into claim 11. Claim 11 has been further revised by more clearly reciting that the measurement signal corresponds to the measured pressure, and that a controller determines the pressure in the pressure line and/or in the tank as a function of the measurement signal.

Claims 17-20 have been canceled, and new claims 21-26 have been presented.

Claim 14 has been revised by adding recitation of the controller, and that the controller receives a signal from the pressure sensor, and also that the signal from the sensor is used to determine the pressure in the fuel line in one operating status, and the pressure in the tank in a second operating status.

With regard to the rejections, first it must be pointed out that in reality, Rembold et al is not a viable reference. Fuel systems with a pre-feed pump and a downstream high-pressure pump such as the system described by Rembold et al all have a check valve between the pre-feed pump, 19 in Rembold et al, and the filter, 27 in Rembold et al. With such a check valve in place, the pressure in the system can be preserved after engine shutoff. This preserved pressure makes fast restarting of the engine possible. Without such a check valve and the preserved pressure, restarting of the engine could be accomplished only with great difficulty.

In Rembold et al the check valve was not shown because it was of no significance to the invention which is being claimed in this patent, but one knowledgeable and skilled in the art would be aware that there must be such a check valve, since without it restarting of the

engine could only be accomplished with great difficulty. Since such a check valve would close off connection with the fuel tank when the engine stops, any tank leakage could not be indicated by a pressure sensor located at this point in the fuel system. Such a sensor would only sense the elevated pressure maintained by the check valve. Thus, a system such as that of Rembold et al could not determine tank leakage by a pressure sensor located as recited by applicants' claim 11.

Ohta et al, at figure 1 shows a pressure sensor without a reference numeral. It is located between the pre-feed pump 3 and the associated check valve. This pressure sensor is not mentioned in the specification of Ohta et al, so one skilled in the art cannot learn anything about it, and certainly one cannot determine what it does. The use of this sensor for determining tank leakage, however, clearly is not disclosed, and certainly the usage of this sensor for determining the tank pressure would not be obvious to one skilled in the art. There is no teaching of anything like this of record, except for the applicants' disclosure. Thus, any reading of the sensor of Ohta et al as a teaching for determining tank leakage can only come from an impermissible application of hindsight using applicants' own disclosure against them.

Furthermore, the rejection of claims as anticipated by Rembold et al or Ohta et al is not tenable, because there is no teaching in either reference of using the pressure sensor connected to the pressure line downstream of the feed pump and upstream of the check valve for pressure detection in the tank. Thus, neither of these references teach the claimed invention.

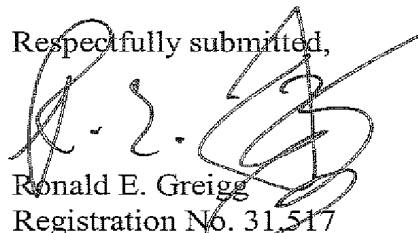
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And the rejection of claims as unpatentable over Rembold et al in view of Graham also is not tenable, because there is no teaching in either reference of using the pressure sensor connected to the pressure line downstream of the feed pump and upstream of the check valve for pressure detection in the tank. Thus again, neither of these references teach the claimed invention.

For the above reasons, whether taken singly or in combination with each other, entry of this amendment and allowance of the claims is respectfully requested.

Entry of the amendment is respectfully solicited.

Respectfully submitted,



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